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PATENT

ATTORNEY DOCKET NO.: 046124-5282

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hirotooshi TERADA et al.

Application No.: 10/804,194

Filed: March 19, 2004

For: SOLID IMMERSION LENS AND  
MICROSCOPE

Confirmation No.: 6505

Group Art Unit: *Unassigned*

Examiner: *Unassigned*

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants respectfully request that the Examiner consider cited references and evidence that consideration by making appropriate notations on the attached form.

Relevance of any non-English documents can be ascertained from the attached English language abstracts, as indicated on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not

constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



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Dated: September 9, 2004

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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.:  
046124-5282

Application No.:  
10/804,194

Applicant(s):  
Hirotoshi TERADA et al.

Page 1 of 1

Filing Date: March 19, 2004

Group: *Unassigned*

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,939,709	August 17, 1999	<i>Ghislain et al.</i>	250	216	June 19, 1997
	5,422,498	June 6, 1995	<i>Nikawa et al.</i>	257	48	April 13, 1994
	5,208,648	May 4, 1993	<i>Batchelder et al.</i>	356	237	March 11, 1991
	5,220,403	June 15, 1993	<i>Batchelder et al.</i>	356	345	September 30, 1992
	5,004,307	April 2, 1991	<i>Kino et al.</i>	350	1.2	April 12, 1990
	5,125,750	June 30, 1992	<i>Corle et al.</i>	359	819	March 14, 1991
	6,594,086 B1	July 15, 2003	<i>Pakdaman et al.</i>	359	656	January 16, 2002
	6,475,398 B2	November 5, 2002	<i>Kitahata</i>	216	2	September 25, 2001
	6,608,359 B2	August 19, 2003	<i>Kitahata</i>	257	432	August 29, 2002
	6,656,029 B2	December 2, 2003	<i>Kitahata</i>	451	384	August 29, 2002
	6,621,275 B2	September 16, 2003	<i>Cotton et al.</i>	324	537	November 28, 2001
	6,002,792	December 14, 1999	<i>Oguri et al.</i>	382	145	February 29, 1996
	6,687,058 B1	February 3, 2004	<i>Ippolito et al.</i>	359	656	June 20, 2000
	6,441,359 B1	August 27, 2002	<i>Cozier et al.</i>	250	216	October 7, 1999
	2003/0202255 A1	October 30, 2003	<i>Pakdaman et al.</i>	359	656	May 19, 2003
	2003/0210057 A1	November 13, 2003	<i>Cotton et al.</i>	324	501	June 9, 2003

## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes	No
JP 2002-189000 (corresponds to USP Nos. 6,475,398, 6,608,359 & 6,656,029)	July 5, 2002	Japan			Abstract	
JP 05-157701	June 25, 1993	Japan			Abstract	
JP 06-300824 (corresponds to USP 5,422,498)	October 28, 1994	Japan			Abstract	
JP 07-190946 (corresponds to USP 6,002,792)	July 28, 1995	Japan			Abstract	
JP 7-18806 (corresponds to USP Nos. 5,208,648 & 5,220,403)	March 6, 1995	Japan			Abstract	
JP 11-003534	January 6, 1999	Japan			Abstract	
JP 2001-023230	January 26, 2001	Japan			Abstract	
EP 0 977 192 A1	February 2, 2000	Europe				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

ISTFA, November 2003, "Conference Proceedings from the 29th International Symposium for Testing and Failure Analysis", pp. 325-329.
ISTFA 2003, "Photoemission and OBIRCH Analysis with Solid Immersion Lens (SIL)", pp. 1-20.

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.